



UNITED STATES DEPARTMENT OF COMMERCE
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/060,343 04/14/98 LEFTWICH

J 14774-82-1

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LM01/0217

EXAMINER

VU, N

ART UNIT	PAPER NUMBER
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2711

DATE MAILED: 02/17/00

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.
09/060,343

Applicant(s)

Leftwich

Examiner

Ngoc Vu

Group Art Unit
2711



☐ Responsive to communication(s) filed on _____

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-4 _____ is/are pending in the application

Of the above, claim(s) _____ is/are withdrawn from consideration

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-4 _____ is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been
☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

3. Claims 1-4 are rejected under 35 U.S.C. 102(e) as being anticipated by Rowe et al (US 6,008,803)

Regarding claim 1, Rowe et al. discloses a method for managing programming comprising: a database of available programming information are maintained on the memory storage device (12) (See Fig 1 and col 6, lines 1-10); using a "first filter" for selecting a

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subcategory or "first subset" of programming information according to some criteria to generate an electronic program guide displaying programming in said subcategory (Col 10, lines 16-24 and Col 7, lines 65-67). For example, user selects one or more of the subcategories of programming such as "Basketball", "Baseball", "Football"...etc...in category "Sports".

Regarding claim 2, Rowe et al. discloses further comprising the step of: using a "second filter" for selecting a category or "second subset" of programming information to generate an electronic program guide including all programs included in either "first subset" or "second subset" (Col 10, lines 25-32 and Col 7).

Regarding claim 3, Rowe et al. discloses the user selects programs by first choosing the general category for the desired programs then subcategory displaying associated with the selected category (Col 9, lines 45-64).

Regarding claim 4, Rowe et al discloses a step of selection of programs in the programming database (Col 9-10, lines 65-15).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Eick et al (US 5,912,664) teaches an apparatus and method for selection of program and one or more filtering criteria to limit the number of items represented in the overall representation.

Naimpally (US 6,020,880) teaches method and apparatus for providing electronic program guide information from a single electronic program guide server. The information provided may be filtered by the information provider and/or television receiver based on selected program categories and/or a user provided profile.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ngoc Vu whose telephone number is (703) 306-5976. The examiner can normally be reached on Monday-Thursday from 8:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Faile, can be reached on (703) 305-4380. The fax phone number for this Group is (703) 308-6306 or (703) 308-6296.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3900.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 308-9051, (for formal communications intended for entry)

Or:

(703) 308-5399, (for informal or draft communications, please label

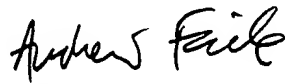
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"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).



nv
Feb.7, 2000

ANDREW I. FAILE
SUPERVISORY PATENT EXAMINER
GROUP 2700